

MICHAEL DeLACERDA	§	
v.	§	CIVIL ACTION NO. 6:11cv6
MAXEY CERLIANO,, ET AL.	§	

The Plaintiff Michael DeLacerda, proceeding *pro se*, filed this lawsuit complaining of alleged violations of his constitutional rights. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

On January 14, 2011, the Magistrate Judge ordered DeLacerda to either pay the filing fee of \$350.00 or submit an application for leave to proceed *in forma pauperis*. A copy of this order was sent to DeLacerda's last known address, and then remailed after DeLacerda notified the Court of a change of address, but to date, he has not complied with the order, nor responded in any way.

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The Court has carefully reviewed the pleadings in this case, as well as the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge is hereby ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled civil action be and hereby is DISMISSED without prejudice for failure to prosecute or to obey an order of the Court. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby DENIED.

**SIGNED this 25th day of April, 2011.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE